

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

NOV 13 2012

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

DIEGO ALEGRIA SANCHEZ,)	
)	Criminal Action No. 7:10-CR-00072
Petitioner)	
)	
v.)	<u>ORDER</u>
)	
UNITED STATES OF AMERICA,)	By: Hon. James C. Turk
)	Senior United States District Judge
Respondent)	

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** and **ADJUDGED** that the above referenced motion pursuant to 28 U.S.C. § 2255 is hereby **DISMISSED**; and this action shall be **STRICKEN** from the active docket of this court. It is further **ORDERED** that a certificate of appealability is **DENIED**.

Sanchez is advised that he may appeal this decision pursuant to Federal Rules of Appellate Procedure 3 and 4 by filing a notice of appeal with this court within sixty (60) days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Federal Rule of Appellate Procedure 4(a)(5).

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to all counsel of record and to Petitioner.

ENTER: This 17th day of November, 2012.

[Signature]

Hon. James C. Turk
Senior United States District Judge